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B I L L

TO

Confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Urban Districts of Clones Londonderry Monaghan Pembroke Rathmines and Rathgar and Wicklow and the Rural Districts of Dungarvan and Rathdrum.

A.D. 1900.

WHEREAS the Local Government Board for Ireland have made the Provisional Orders set forth in the schedule hereto under the Public Health (Ireland) Acts 1878 to 1896 :

And whereas it is requisite that the said Orders should be confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

10 1. The Orders set out in the schedule hereto are hereby confirmed and all the provisions thereof shall have full validity and force. Orders in  
schedule  
confirmed.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Orders Confirmation (No. 3) Act 1900. Short title.



A.D. 1900.

Clonet.

## SCHEDULE.

## THE LOCAL GOVERNMENT BOARD FOR IRELAND.

## CLONES SEWERAGE WORKS.

## PROVISIONAL ORDER.

WHEREAS the Clones urban district council (herein-after called the sanitary authority) are the urban sanitary authority of the town of Clones and are about to construct works for the sewerage and the disposal of the sewage of the said town and have presented a petition to the Local Government Board for Ireland (herein-after called the Local Government Board) in pursuance of the Public Health (Ireland) Acts 1878 praying that they may be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement for the purposes of the said works :

And whereas the sanitary authority have deposited at the office of the Local Government Board in Dublin a plan and book of reference (herein-after called the deposited plan and book of reference) showing the lands and premises proposed by the sanitary authority to be taken for the said purposes :

And whereas all advertisements and notices required by the Public Health (Ireland) Act 1878 having been previously published served and given the Local Government Board have caused a local inquiry to be held as to the propriety of assenting to the prayer of the said petition and it appears to the Local Government Board to be proper to assent thereto :

It is ordered by the Local Government Board as follows :—

1. From and after the confirmation of this Order by Parliament the sanitary authority shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to the lands and premises described in the deposited plan and book of reference.
2. The sanitary authority shall not under the powers of this Order purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partly by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December last but have been or will be subsequently so occupied. For the purpose of this Order the expression "labouring class" means and includes mechanics artificers labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own families and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

41 & 42 Vict.  
c. 52.41 & 42 Vict.  
c. 52.Compulsory  
powers to take  
lands and  
premises.Provision for  
houses occupied  
by labouring  
classes.



A.D. 1900.

3. In this Order the expression "the Lands Clauses Acts" means the Lands Clauses Acts as amended by section eight of the Public Health (Ireland) Act 1896.

*Clases.*  
Interpretation.

4. All costs charges and expenses of and incidental to the application for preparing obtaining and confirming this Order shall be paid by the sanitary authority as part of their expenses incurred in the execution of the Public Health (Ireland) Acts 1878 to 1896.

Costs of Order.

5. This Order may be cited as the Clones Sewerage Provisional Order 1900.

Short title of Order.

Given under our hands and seal of office this seventh day of May in the year of our Lord One thousand nine hundred.

(L.S.)

(Signed) G. W. BALFOUR.  
H. A. ROBINSON.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

COUNTY BOROUGH OF LONDONDERRY.

*Londonderry.*

PROVISIONAL ORDER.

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WHEREAS the Mayor Aldermen and Burgesses of the county borough of Londonderry acting by the town council (herein-after called the sanitary authority) are the urban sanitary authority of the said county borough and are about to widen and improve Foyle-street in the said county borough and have presented a petition to the Local Government Board for Ireland (herein-after called the Local Government Board) praying that the sanitary authority may be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to certain lands houses and premises required for the purpose of such works and have deposited at the office of the Local Government Board in Dublin a plan and book of reference (herein-after called the deposited plan and book of reference) showing the said lands houses and premises :

And whereas all advertisements and notices required by the Public Health (Ireland) Act 1878 having been previously duly published served and given the Local Government Board have caused a local inquiry to be made as to the propriety of assenting to the prayer of the said petition and it appears to the Local Government Board to be proper to assent thereto with reference to the lands houses and premises herein-after mentioned.

41 & 42 Vict.  
c. 52.

It is ordered by the Local Government Board as follows :—

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1. From and after the confirmation of this Order by Parliament the sanitary authority shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to the lands houses and premises described in the deposited plan and book of reference.

Compulsory powers to take lands houses and premises.

[223.]

A 2



A.D. 1900.

Londonderry.

Provision for  
persons of the  
labouring class.

2. The sanitary authority shall not under the powers of this Order purchase or acquire ten or more houses which on the fifteenth day of December last were occupied wholly or partly by persons belonging to the labouring classes as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied 5 on the said fifteenth day of December but have been or will be subsequently so occupied. For the purposes of this Order the expression "labouring class" includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except 10 members of their own families and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.
3. In this Order the expression "the Lands Clauses Acts" means the Lands Clauses Acts as amended by section eight of the Public Health (Ireland) 15 Act 1896.
4. All costs charges and expenses of and incidental to the application for obtaining preparing making and confirming this Order shall be paid by the sanitary authority.
5. This Order may be cited and referred to for all purposes as the 20 Londonderry Provisional Order 1900.

18 & 60 Vict.  
c. 64.Costs of  
Order.Short title  
of Order.

Given under our hands and seal of office this fourteenth day of May  
in the year of our Lord One thousand nine hundred.  
(L.S.) (Signed) H. A. ROBINSON.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

25

Monaghan.

MONAGHAN URBAN DISTRICT COUNCIL.

MONAGHAN WATERWORKS.

PROVISIONAL ORDER.

WHEREAS the Monaghan urban district council (herein-after called the sanitary authority) are the sanitary authority of the urban sanitary district 30 consisting of the town of Monaghan and are about to construct waterworks for the said town and have presented a petition to the Local Government Board for Ireland (herein-after called the Local Government Board) in pursuance of the Public Health (Ireland) Acts 1878 to 1896 praying that they may be empowered to put in force the powers of the Lands Clauses Acts with respect 35 to the purchase and taking of land otherwise than by agreement for the purposes of the said works.

And whereas the sanitary authority have deposited at the office of the Local Government Board in Dublin plans and a book of reference (herein-after called



the deposited plans and book of reference) showing the lands and premises required for the said purposes.

A.D. 1900.

And whereas all advertisements and notices required by the Public Health (Ireland) Act 1878 having been previously published served and given the Local Government Board have caused a local inquiry to be made as to the propriety of assenting to the prayer of the said petition and it appears to be proper to make this Order in respect thereof :

*Mounghan.*  
41 & 42 Vict.  
c. 50.

It is ordered by the Local Government Board as follows:—

1. From and after the confirmation of this Order by Parliament the sanitary authority shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to the lands lands covered with water rights to take and convey water easements and other premises described in the deposited plans and book of reference.
  2. For the purposes of this Order the expression "the Lands Clauses Acts" means and includes the provisions of the Lands Clauses Acts as amended by the provisions contained in the second schedule of the Housing of the Working Classes Act 1890 and section eight of the Public Health (Ireland) Act 1896 and the term "land" in the said Acts shall for the purposes of this Order extend to and include the lands lands covered with water rights to take and convey water easements and other premises described in the deposited plans and book of reference.
  3. The costs charges and expenses of and incidental to the application for preparing obtaining and confirming this Order shall be paid by the sanitary authority out of any rate applicable to defraying the expenses incurred by them in the execution of the Public Health (Ireland) Acts 1878 to 1896.
  4. This Order may be cited and referred to for all purposes as the Mounghan Waterworks Provisional Order 1900.
- Given under our hands and seal of office this tenth day of May in the year of our Lord One thousand nine hundred.
- (L.S.) (Signed) G. W. BALFOUR.  
H. A. ROBINSON.

*Compulsory powers to take lands and other premises.*

*Interpretation of terms.*  
52 & 54 Vict.  
c. 70.  
59 & 60 Vict.  
c. 54.

*Costs of Order.*

*Short title of Order.*

# THE LOCAL GOVERNMENT BOARD FOR IRELAND.

## PEMBROKE URBAN DISTRICT.

*Pembroke.*

### PROVISIONAL ORDER.

WHEREAS the Pembroke urban district council (herein-after referred to as the council) are the urban sanitary authority for the urban sanitary district (herein-after referred to as the urban district) consisting of the Pembroke township as constituted under the Pembroke Township Act 1863 (herein-after referred to as the Act).

26 & 27 Vict.  
c. 122.



A.D. 1900.

Pembroke.

41 & 42 Vict.  
c. 52.

And whereas the council have made an application to the Local Government Board for Ireland (herein-after referred to as the Local Government Board) for a provisional order under section two hundred and five of the Public Health (Ireland) Act 1878 to alter and amend the Act.

And whereas the Local Government Board have caused a local inquiry to be held as to the propriety of assenting to the said application and it appears to the Local Government Board to be proper to make this Order with respect thereto.

It is ordered by the Local Government Board as follows :—

Commence-  
ment of Order.

1. This Order shall come into operation from and after the date of the Act of Parliament confirming the same. 10

Alteration of  
the Act.

2. Section seven of the Act shall be altered by the omission therefrom of the words "Irishtown and Ringsend until it meets the Cambridge Road and "thence along the southern side of the Cambridge Road" and by the substitution thereof of the words "until it meets the outfall sewer of the Rathmines and Pembroke Main Drainage Board and thence along the outer or sea side of the embankment carrying the said outfall sewer to the south side of the Great South Wall Road and thence along the outer or south side of the wall bounding the south side of the said Great South Wall Road" and the added area comprised within the boundaries of the Pembroke township as extended by this Order shall for all purposes be included in the township and within the limits of the Act. 15  
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Application of  
provisions  
relating to  
water.

3.—(1.) The provisions of the Act which relate to the supply of water by the corporation of Dublin and payment for the same and the Dublin Corporation Act 1897 and the Acts enumerated in Part I. of the first Schedule to that Act shall apply to the urban district as extended by this Order in like manner as they applied to the urban district before the making of this Order and the certificate of the Registrar General shall be conclusive evidence of the population of the added area according to any census taken before or after the making of this Order. 25  
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(2.) This Order shall not affect the rights of the corporation of Dublin in respect of the proposed main outfall sewer of the said corporation as described in the notices heretofore published and served relating to the same. 35

Protection of  
Port of Dublin.

4. The extension of the boundaries of the Pembroke township by this Order shall not prejudicially affect the provisions contained in sections twenty-eight and thirty-six of the Rathmines and Pembroke Main Drainage and Improvement Act 1877 for the protection of the Port of Dublin and of the Great South Wall and of the other works of the Dublin Port and Docks Board and the annual sum of two pounds and eight shillings shall be added to and be payable with the sum payable under sub-section (5) of the said section thirty-six as amended by section six of the Rathmines and Rathgar (Milltown Extension) Act 1880. 40  
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5. The terms used in this Order shall unless there is something in the subject or context repugnant to such construction have the same meanings as in the Act.
6. The Act shall be read and construed as if the provisions of this Order were incorporated with the Act.
7. The costs and expenses of the council and of the Local Government Board of and incidental to the application for preparing and making of this Order and the confirmation thereof by Parliament shall be paid by the council as part of their expenses incurred in the execution of the Public Health (Ireland) Acts 1878 to 1896.
8. This Order may be cited for all purposes as the Pembroke (Extension of Boundaries) Provisional Order 1900.
- Given under our hands and seal of office this fourteenth day of May in the year of our Lord one thousand nine hundred.
- (L.S.) (Signed) H. A. ROBINSON.
- Incorporation of Order with Act.*  
*Costs of Order.*  
*Short title of Order.*

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

RATHMINES AND PEMBROKE JOINT HOSPITAL DISTRICT.

*Rathmines and Pembroke.*

PROVISIONAL ORDER.

- WHEREAS the Rathmines and Rathgar Urban District Council and the Pembroke Urban District Council are the sanitary authorities for their respective districts,

And whereas an application has been made to the Local Government Board for Ireland (herein-after called the Local Government Board) by the said Councils in pursuance of section twelve of the Public Health (Ireland) Act 1878 (herein-after referred to as "the Act") to form a united district and to constitute a joint board for the purposes of providing maintaining and managing a hospital or hospitals for the reception of cases of infectious diseases for the use of the inhabitants of the districts of the said sanitary authorities :

- And whereas after due inquiry it appears to the Local Government Board that it would be for the advantage of such sanitary districts that they should be formed into a united district for the purposes and in the manner herein-after provided and all advertisements required by the Act have been duly published :

It is ordered by the Local Government Board as follows :—

1. This Order shall come into operation from and after the date of the Act of Parliament confirming the same (herein-after referred to as "the appointed day").
2. The Rathmines and Rathgar urban district and the Pembroke urban district (which districts are herein-after referred to as "the constituent
- 41 & 42 Vict. c. 38.*  
*Commencement of Order.*  
*Constitution of United District.*



A.D. 1900. — <i>Rathmines and Pembroke.</i>	districts") shall be formed into a united district to be called "The Rathmines and Pembroke Joint Hospital District" in pursuance of section twelve of the Act for the purpose of the provision maintenance and management for the use of the inhabitants of the constituent districts of a hospital or hospitals for the reception of cases of infectious diseases. 5
<i>Constitution of governing body.</i>	3. The Joint Board which shall be the governing body of the said united district shall consist of two ex-officio and ten elective members and shall be called "The Rathmines and Pembroke Joint Hospital Board" (herein-after referred to as "the joint board"). The chairman for the time being of each of the councils of the constituent 10 districts (which councils are herein-after referred to as "the constituent authorities") shall be an ex-officio member. Five elective members shall be elected annually by each of the constituent authorities. Each elective member shall at the time of his election be a member of the authority electing him. 15
<i>Disqualifi- cations.</i>	4. Such of the provisions of article 12 of the schedule to the Local Govern- ment (Application of Enactments) Order 1898 as relate to members of district councils shall with the necessary modifications apply to members of the joint board.
<i>Incorporation of joint board.</i>	5. The joint board constituted as aforesaid shall be a body corporate by the 20 aforesaid name of "The Rathmines and Pembroke Joint Hospital Board" and shall have perpetual succession and a common seal with power to acquire and hold land for the purposes herein-after mentioned.
<i>First election of elective members.</i>	6. The first election of elective members of the joint board shall take place at a 25 meeting of each of the constituent authorities to be held within two months after the appointed day or within such further time as the Local Government Board may allow. The day on which such meeting shall take place shall be fixed by a resolution of the constituent authority passed at a previous meeting of the said authority. Such resolution may be passed without any previous notice but sufficient time must elapse 30 between the passing of such resolution and the time thereby fixed for the election to enable the clerk of the authority to give notice of the election in the manner following: Seven days previous notice in writing of the time fixed for the election shall be given to each member of the constituent authority by the clerk to such authority. 35
<i>Notification of members elected.</i>	7. The clerk of each of the constituent authorities shall notify in writing to the Local Government Board within seven days after each first election has taken place the name address and occupation of each of the persons elected by such authority as a member of the joint board.
<i>Annual election.</i>	8. After the first election of members of the joint board an annual election 40 of elective members of the said board by the constituent authorities shall take place at the meeting of each of the said authorities which takes place next after the first day of April in each year after such first elections.
<i>Continuance in office of elec- tive members.</i>	9. Each elective member of the joint board shall continue in office as an 45 elective member until he dies or resigns or becomes disqualified or 45



vacates his seat for absence or until he becomes an ex-officio member of the joint board or until the next annual election of members of the joint board by the constituent authority by which he has been elected.

A.D. 1900.  
—  
*Rathfriland  
and  
Pembroke.*

- 5 10. Casual vacancies among the elective members of the joint board shall be filled as follows:—The constituent authority by which the member causing the vacancy has been elected shall at a meeting to be held within one month after such vacancy has taken place or within such other period as the Local Government Board may direct (of which meeting seven days' notice in writing shall be given by the clerk to such authority to each member of such authority) elect a member of their body to fill such vacancy and the clerk to such authority shall forthwith notify in writing to the clerk to the joint board the name address and occupation of the person elected to fill such vacancy.

Filling casual vacancies.

- 15 11.—(1.) The time and place of holding the first meeting of the joint board shall be fixed by the Local Government Board.

Meetings of joint board.

(2.) An annual meeting of the joint board shall take place in every year on the first Saturday following the day on which the elections of elective members have been completed.

- 20 (3.) After the said first meeting and after the annual meeting the joint board shall meet at least once in every month on some day to be fixed at the last preceding meeting of the said board and if no such day is fixed then on the first Saturday in every month.

- 25 12. At the said first meeting and at the annual meeting the members of the joint board shall appoint one of their members chairman and another member vice-chairman of the joint board and such chairman and vice-chairman shall hold office until the next annual appointment of a chairman and vice-chairman unless he has previously died resigned or ceased to be a member of the joint board. In the event of the death or resignation of such chairman or vice-chairman or of his ceasing to be a member of the joint board the joint board at the next meeting after such vacancy has taken place shall appoint another member of the joint board to fill the vacancy.

Chairman and vice-chairman.

- 35 13. At all meetings of the joint board the chairman or in his absence the vice-chairman shall preside and if at the commencement of any meeting the chairman and vice-chairman are both absent the members of the board present shall elect one of their number to preside at such meeting until the chairman or vice-chairman takes the chair.

Conduct of business at meetings.

- 40 14. Every question at any meeting of the joint board shall be determined by a majority of the votes of the members present and in any case in which there is an equality of votes on any question that question shall be deemed to be lost provided that where there shall be an equality of votes at the election of chairman or vice-chairman or chairman of a meeting it shall be determined by lot which of the persons receiving an equal number of votes shall be chairman or vice-chairman or chairman of the meeting as the case may be.

Decision of questions at meetings.

[223.]

B



A.D. 1900.

*Rathfriland  
and  
Pembroke.*  
Vote of  
chairman.

15. The chairman presiding at any meeting of the joint board shall be entitled to give one vote on each question submitted to the joint board but he shall not under any circumstances be entitled to any additional or casting vote.

Quorum.

16. At all meetings of the joint board three members shall constitute a 5 quorum.

Appointment  
of officers.

17. The joint board shall at their first meeting or at any adjournment thereof and thereafter as occasion may require appoint a clerk and may appoint one or more medical officers who shall be registered medical practitioners and such other officers and servants as they think requisite 10 They may pay their clerk medical officers and other officers and servants such reasonable remuneration as they deem expedient and every such clerk medical officer and other officer and servant shall be removable by the joint board at their pleasure.

Admission of  
patients into  
hospital.

18. Persons shall be admitted into a hospital provided by the joint board 15 in any of the following modes and not otherwise except with the consent of the constituent authorities viz. :—

- (a) By an order of the joint board or of either of the constituent authorities.  
(b) By an order of a medical superintendent officer of health or 20 medical officer of health of either of the constituent authorities.  
(c) By an order of any medical officer appointed by the joint board.  
(d) By an order of a justice made under the provisions of section one hundred and forty-one of the Act with the consent required by that section. 25

Application of  
enactments.

19. For the purposes of this Order sections 139 140 155 156 200 201 (except sub-section 3) 202 203 and 204 of the Act and section 8 of the Public Health (Ireland) Act 1896 shall apply and the joint board shall have exercise perform and be subject to all the powers rights duties capacities liabilities and obligations of a sanitary authority under the said enactments 30 or otherwise under the enactments of the Public Health (Ireland) Acts 1878 to 1896 in relation to the provision maintenance and management of a hospital or hospitals so far as the said enactments are applicable.

Saving of  
powers of  
constituent  
authorities.

20. Until a hospital provided by the joint board is ready for the reception of patients nothing in this Order shall take away abridge or prejudicially 35 affect any power vested in either of the constituent authorities with regard to the provision of a hospital or hospitals for the use of the inhabitants of their district.

Modification of  
sec. 156 of the  
Act.

21. A copy of section 156 of the Act shall be hung up in a conspicuous place at the principal entrance of the hospital or hospitals. 40

Expenses of  
joint board.

- 22.—(1.) All expenses incurred by the joint board shall be defrayed out of a common fund to which shall be paid the sums received from the constituent authorities in respect of the cost of maintenance of patients as herein-after provided and the sums recovered by the joint board from or repaid to the joint board by or for patients. 45



(2.) The common fund so far as the same is not provided by such payments thereto as aforesaid shall be contributed by the constituent districts in the manner provided by section 235 of the Act and the contribution of each district shall be raised and defrayed by the constituent authority out of any rate applicable to defraying the expenses incurred by them in the execution of the Public Health (Ireland) Acts 1878 to 1895.

A.D. 1900.  
—  
*Rathmines  
and  
Penrose.*

23. (1.) The cost of maintenance of patients shall be ascertained and paid as follows:—

Cost of  
maintenance  
of patients.

(a) Within three weeks after the Thirty-first day of March and the Thirtieth day of September in each year or such other days as the Local Government Board may from time to time direct the joint board shall ascertain the average daily cost per patient of the maintenance of patients who have been in the hospital during the previous half-year.

(b) The cost of maintenance of patients shall include all the expenses incurred in and about the maintenance and care of the patients in the hospital and in and about their medical treatment (except so far as the same are included in the salaries of the medical officer or officers and permanent nurse or nurses) and in and about the clothing conveyance to and from the hospital burials and funerals of patients and shall also include during any week in which a patient or patients may have been in the hospital the remuneration and rations of temporary nurses but shall not include the cost of the repairs to the hospital or to the fittings or furniture thereof or the salaries remuneration or rations of the officers or servants other than temporary nurses.

(2.) The clerk to the joint board shall within four weeks after the Thirty-first day of March and Thirtieth day of September in each year or such other days as the Local Government Board may from time to time direct transmit to the clerk of each constituent authority an account showing in respect of the patients received into the hospital from the district of such authority after deducting any sums recovered by the joint board from or repaid to the joint board by or for such patients:

(a) the name of each patient;

(b) The number of days during such half-year each patient has remained in the hospital; and

(c) the amount (calculated according to the daily average ascertained as aforesaid) due from such authority.

(3.) The amount shown by such account to be due shall be paid by the constituent authority from whose district such patients have been received into the hospital and shall be included in the precepts which the joint board issue to the constituent authorities respectively under section 236 of the Act stating the sums to be contributed by the constituent authorities towards the common fund of the district and in



A.D. 1900.

*Ratcliffe  
and  
Pembroke.*Inspection of  
accounts.

Audit.

34 & 35 Vict.  
c. 109,  
35 & 36 Vict.  
c. 66,  
31 & 32 Vict.  
c. 37.Auditor's  
report to be  
sent to  
constituent  
authorities.Cost of this  
Order.Power to  
amend Order in  
case of future  
alterations.Settlement of  
differences.

case of default shall be recovered in like manner as the sums to be contributed towards such common fund.

24. The accounts of the joint board shall at all reasonable times be open to inspection and transcription by any member of either of the constituent authorities or by any officer of either of the constituent authorities 5 authorized by them for that purpose without payment.
25. The accounts of the joint board shall be made up in such form and to such days in every year as may be appointed from time to time by the Local Government Board and shall be audited by such auditor of the Local Government Board as they may appoint for the purpose The 10 auditor so appointed shall with respect to the accounts of the joint board have the like powers and be subject to the like obligations in every respect as in case of an audit under the Local Government (Ireland) Act 1871 as amended by the Local Government Board (Ireland) Act 1872 and the Local Government (Ireland) Act 1898 15 and any person aggrieved by the decision of the auditor shall have the like rights and remedies as in the case of such last-mentioned audit. The proportion of the salary of the auditor to be paid by the joint board shall be determined by the Local Government Board with the approval of the Treasury and shall be paid accordingly to such 20 bank or to such person as the Treasury may direct.
26. A copy of the auditor's report and of the abstract of the accounts of the joint board when duly audited shall be sent by the joint board to each of the constituent authorities.
27. All costs charges and expenses of the constituent authorities and of the 25 Local Government Board of and incidental to the application for preparation of obtaining and confirming this Order shall be paid and contributed by the constituent authorities in proportion to the rateable value of the property in the district of each authority.
28. If at any time any new district is formed including the whole or any 30 part of either of the constituent districts or the boundaries of either of the constituent districts are otherwise altered or the whole of both or either of the constituent districts is created or included in a municipal borough or any repeal or alteration is made in the law affecting the united district or the joint board or either of the constituent districts or 35 authorities in matters touching their relation to the united district or the joint board then and in every such case the Local Government Board may by Order to be published as they may direct make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made and to the incidents and consequences thereof and every such 40 Order shall have effect as if the terms thereof were inserted in this Order.
29. If at any time any difference arises between the joint board on the one hand and any constituent authority or authorities on the other hand or between the constituent authorities respecting any matter arising 45



out of the provisions of this Order the same shall be referred to and be decided by the Local Government Board whose decision shall be final.

A.D. 1900.  
*Rathmines and Pembroke.*  
Short title of Order.

5 30. This Order may be cited as the Rathmines and Pembroke Joint Hospital Order 1900.

Given under our hands and seal of office this Fourteenth day of May in the year of Our Lord One thousand nine hundred.

(L.S.)

(Signed) H. A. ROBINSON.

# THE LOCAL GOVERNMENT BOARD FOR IRELAND.

10

## DUNGARVAN RURAL DISTRICT COUNCIL.

*Dungarvan.*

### BALLYNACOURTY WATERWORKS.

#### PROVISIONAL ORDER.

15 WHEREAS the Dungarvan rural district council (herein-after called the sanitary authority) are the sanitary authority of the rural sanitary district consisting of the said rural district and are about to construct waterworks to provide a supply of water for the village and townland of Ballynacourty and certain other townlands situate in the electoral division of Clonea in the said rural district and have presented a petition to the Local Government Board for Ireland (herein-after called the Local Government Board) in pursuance of the  
20 Public Health (Ireland) Acts 1878 to 1896 praying that they may be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement for the purposes of the said works.

And whereas the sanitary authority have deposited at the office of the Local  
25 Government Board in Dublin plans and a book of reference (herein-after called the deposited plans and book of reference) showing the lands and premises required for the said purposes.

And whereas all advertisements and notices required by the Public Health (Ireland) Act 1878 having been previously published served and given the Local  
30 Government Board have caused a local inquiry to be held as to the propriety of assenting to the prayer of the said petition and it appears to be proper to make this Order in respect thereof:—

41 & 43 Vict.  
c. 39.

It is ordered by the Local Government Board as follows:—

35 1. From and after the confirmation of this Order by Parliament the sanitary authority shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to the lands lands covered with water  
[223.]

Compulsory powers to take lands and other premises.



A.D. 1900.  
*Diagurman.*  
 Interpretation  
 of terms.  
 33 & 34 Vict.  
 c. 70.  
 39 & 40 Vict.  
 c. 54.

rights to take and convey water easements and other premises described in the deposited plans and book of reference.

Costs of Order.

2. In this Order the expression "the Lands Clauses Acts" means the Lands Clauses Acts as amended by section eight of the Public Health (Ireland) Act 1896 and the term land in the said Acts shall for the purposes of this Order extend to and include the lands lands covered with water rights to take and convey water easements and other premises described in the deposited plans and book of reference.

Short title of Order.

3. The costs charges and expenses of and incidental to the application for preparing obtaining and confirming this Order shall be paid and payable by the sanitary authority as special expenses under the Public Health (Ireland) Acts 1878 to 1896.

4. This Order may be cited and referred to for all purposes as the Ballynacourty Waterworks Provisional Order 1900.

Given under our hands and seal of office this Seventh day of May in the year of our Lord One thousand nine hundred.

(L.S.)

(Signed) G. W. BALFOUR.  
 H. A. ROBINSON.

# THE LOCAL GOVERNMENT BOARD FOR IRELAND.

*Rathdrum  
 and  
 Wicklow.*

## RATHDRUM AND WICKLOW JOINT BURIAL BOARD. 20

### PROVISIONAL ORDER.

WHEREAS the Rathdrum rural district council (herein-after called the rural authority) and the Wicklow urban district council (herein-after called the urban authority) are the sanitary authorities for their respective districts :

And whereas an application has been made to the Local Government Board for Ireland (herein-after called the Local Government Board) by the rural authority acting as the rural sanitary authority in pursuance of section 12 of the Public Health (Ireland) Act 1878 (herein-after called the Act) to form a united district and to constitute a joint burial board for the purpose of providing a new burial ground such united district to consist of the rural sanitary district (herein-after called the rural district) of which the rural authority are the rural sanitary authority and of the urban sanitary district (herein-after called the urban district) of which the urban authority are the urban sanitary authority :

And whereas after due inquiry it appears to the Local Government Board that it would be for the advantage of the said sanitary districts that they should be formed into a united district for the purposes and in the manner herein-after provided and all advertisements required by the Act have been duly published :

It is ordered by the Local Government Board as follows :—

1. From and after the confirmation of this Order by Parliament the rural district and the urban district shall be formed into a united district

Confirmation of  
 united district.



(herein-after called the united district) in pursuance of section 12 of the Act for the purposes of providing a new burial ground and of acquiring land for such new burial ground.

A.D. 1900.

*Rathfriland  
and  
Wicklow.*

Continuation of  
governing body  
of united  
district.

2. The governing body of the united district shall be a joint board (herein-after called the joint board) constituted as follows :—

The joint board shall consist of two ex-officio and thirteen elective members.

The ex-officio members shall be the chairman for the time being of the rural authority and the chairman for the time being of the urban authority.

Seven elective members shall be elected annually by the rural authority and six elective members shall be elected annually by the urban authority. Each elective member shall at the time of his election be a member of the authority electing him.

3. The first election of elective members by the rural or urban authority as the case may be shall take place at a meeting of the authority to be held within two months after the confirmation of this Order. The day on which such meeting shall take place shall be fixed by a resolution of the authority passed at a previous meeting of such authority. Such resolution may be passed without any previous notice but sufficient time must elapse between the passing of the resolution fixing the time of election and the time so fixed to enable the clerk of the authority to give notice of the election in the manner following :—Seven days' notice at least shall be given by the clerk of the authority to each member of the authority of the time at which such first election will take place.

First election  
of the members  
of the joint  
board.

4. After the first election an annual election of elective members of the joint board by the rural and urban authorities respectively shall take place at the meeting of each of the said authorities which shall take place next after the fifteenth day of June in each year after such first election.

Annual election  
of members.

5. Each elective member of the joint board shall continue in office as such until he dies or resigns or becomes disqualified or vacates his seat for absence or becomes an ex-officio member of the joint board or until the next annual election of the elective members of the joint board by the body by which he has been elected.

Continuance  
in office of  
elective  
members.

6. Casual vacancies among the elective members of the joint board shall be filled as follows :—The rural authority or the urban authority as the case may be by which the member causing the vacancy was elected shall at a meeting to be held within one month after such vacancy has taken place (of which meeting seven days' notice shall be given by the clerk of such authority to each member of such authority) elect a member of their body to fill each vacancy.

Filling casual  
vacancies in  
joint board.

7. Subject to the express provisions in that behalf contained in this Order the business at elections of members of the joint board by the rural and urban authorities respectively shall be conducted and all questions shall be put and decided in the same manner as other business is conducted

Proceedings at  
elections of  
members of  
joint board.



A.D. 1800.

Rathdrum  
and  
Wicklow.Disqualifica-  
tions.

and other questions are put and decided at meetings of such authorities respectively.

8. Such of the provisions of Article 12 of the schedule to the Local Government (Application of Enactments) Order 1898 as relate to members of district councils shall with the necessary modifications apply to members 5 of the joint board.

Incorporation  
of joint burial  
board.

9. The joint board constituted as aforesaid shall be a body corporate by the name of "The Rathdrum and Wicklow Joint Burial Board" and shall have perpetual succession and a common seal with power to acquire and hold lands for the purposes herein-after mentioned. 10

Purposes for  
which joint  
board is  
constituted.

10. The united district shall be formed and the joint board shall be constituted for the following purposes:—In order that the joint board shall for the purpose of providing and maintaining a new burial ground possess the powers and perform the duties (in respect of the united district) of a burial board and for that purpose from and after the completion of the 15 first election of members of the joint board in pursuance of this Order such joint board shall in respect to the united district possess all the powers and perform all the duties conferred and imposed on a burial board by the Public Health (Ireland) Acts 1878 to 1896.

Expenses of  
joint board.

11. The expenses to be incurred by the joint board in the execution of this 20 Order shall be defrayed out of a common fund to be contributed by the rural district and the urban district in the manner provided by section 235 of the Act. The contribution of the urban authority shall be defrayed out of any rate applicable by such authority to defraying the expenses incurred by them in the execution of the Public Health (Ireland) Acts 25 1878 to 1896. The contribution of the rural authority shall be included by such authority in their annual estimate and in their demand to be forwarded to the county council in accordance with section 51 of the Local Government (Ireland) Act 1898.

Payment of  
contributions  
to joint board.

12. The joint board shall issue precepts to the rural and urban authorities 30 respectively stating the sums required for the time being to be contributed by the said authorities and requiring the said authorities respectively within a time to be mentioned in such precepts to pay the amounts of their respective contributions to the joint board and thereupon the rural and urban authorities respectively shall take the proceedings necessary 35 to obtain or raise and levy the amount of their respective contributions and pay the same to the joint board in accordance with the terms of such precepts.

Meetings of  
joint board.

- 13.—(1.) A meeting of the joint board shall take place in every year on the first Saturday following the day on which the election of elective mem- 40 bers of the joint board has been completed.

(2.) After the said meeting the joint board shall meet at least once in every month on some day to be fixed at the last preceding meeting of the said board and if no such day is fixed then on the first Saturday in every month.



A.D. 1900.

14. At a meeting of the joint board which takes place in every year next after the completion of the election of members of the board they shall appoint one of their members chairman and another member vice-chairman of the joint board. Such chairman and vice-chairman shall hold office until the next annual appointment of a chairman and vice-chairman unless he has previously died resigned or ceased to be a member of the joint board. In the event of the death or resignation of such chairman or vice-chairman or of his ceasing to be a member of the joint board the joint board at the next meeting after such vacancy has taken place shall appoint another member of the joint board to fill the vacancy.
15. At all meetings of the joint board the chairman or in his absence the vice-chairman shall preside and if at the commencement of any meeting the chairman and vice-chairman are both absent the members of the board present shall elect one of themselves to preside at such meeting until the chairman or vice-chairman takes the chair.
16. Every question at any meeting of the joint board consisting of more than three members shall be determined by a majority of the votes of the members present and in any case in which there is an equality of votes on any question that question shall be deemed to be lost provided that where there shall be an equality of votes at the election of chairman or vice-chairman or the chairman of a meeting it shall be determined by lot which of the persons receiving an equal number of votes shall be chairman or vice-chairman or the chairman of the meeting as the case may be.
17. The chairman presiding at any meeting of the joint board shall be entitled to give one vote on each question submitted to the joint board but he shall not under any circumstances be entitled to any additional or casting vote.
18. No act at any meeting of the joint board shall be valid unless three members at least are present and if no greater number of members be present unless all of them concur therein.
19. The accounts of the joint board shall be made up in such form and to such days in every year as may be appointed from time to time by the Local Government Board and shall be audited by such auditor of the Local Government Board as they may appoint for the purpose. The auditor so appointed shall with respect to the accounts of the joint board have the like powers and be subject to the like obligations in every respect as in case of an audit under the Local Government (Ireland) Act 1871 as amended by the Local Government Board (Ireland) Act 1873 and the Local Government (Ireland) Act 1898 and any person aggrieved by the decision of the auditor shall have the like rights and remedies as in the case of such last-mentioned audit. If upon any audit of the accounts of the joint board it is ascertained that the board have a surplus of receipts over expenditure such surplus shall be dealt with in such manner as the Local Government Board may direct. The proportion of the salary of the auditor to be paid by the joint board shall be determined

*Reithdrew and Ficklow.*  
Chairman and vice-chairman of joint board.

Conduct of business at meetings of joint board.

Questions to be decided by a majority of votes.

Vote of chairman.

Quorum of joint board.

Audit of accounts of joint board.

34 & 35 Viet. c. 109.  
36 & 37 Viet. c. 62.  
42 & 63 Viet. c. 37.



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